



General Assembly

January Session, 2009

Amendment

LCO No. 6250

SB0067806250SR0

Offered by:
SEN. FASANO, 34th Dist.

To: Subst. Senate Bill No. 678

File No. 533

Cal. No. 372

**"AN ACT IMPLEMENTING CHRONIC DISEASE MANAGEMENT
AND WELLNESS AND PREVENTION STRATEGIES TO REDUCE
HEALTH CARE COSTS."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2009*) Any allopathic or
4 osteopathic physician, licensed under the provisions of chapter 370 of
5 the general statutes; chiropractor, licensed under the provisions of
6 chapter 372 of the general statutes; or natureopath, licensed under the
7 provisions of chapter 373 of the general statutes, shall provide a
8 discharge summary to a patient upon the performance of a procedure,
9 adjustment or manipulation for the treatment of vertebral subluxations
10 or malpositioned articulations. For purposes of this section, "discharge
11 summary" means the provision of written notification to a patient of
12 the risks associated with such procedure, adjustment or manipulation,
13 including, but not limited to, risk of stroke, permanent disability or
14 death and instructions upon the occurrence of medical conditions
15 incident to those risks.

16 Sec. 502. Section 20-29 of the general statutes is repealed and the
17 following is substituted in lieu thereof (*Effective October 1, 2009*):

18 The Board of Chiropractic Examiners may take any of the actions set
19 forth in section 19a-17 for any of the following reasons: The
20 employment of fraud or deception in obtaining a license, habitual
21 intemperance in the use of ardent spirits, narcotics or stimulants to
22 such an extent as to incapacitate the user for the performance of
23 professional duties, violation of any provisions of this chapter or
24 regulations adopted [hereunder] pursuant to this chapter, engaging in
25 fraud or material deception in the course of professional services or
26 activities, failure to provide a written discharge summary upon the
27 performance of a procedure, manipulation or treatment pursuant to
28 section 501 of this act, physical or mental illness, emotional disorder or
29 loss of motor skill, including but not limited to, deterioration through
30 the aging process, illegal, incompetent or negligent conduct in the
31 practice of chiropractic, or failure to maintain professional liability
32 insurance or other indemnity against liability for professional
33 malpractice as provided in subsection (a) of section 20-28b. Any
34 practitioner against whom any of the foregoing grounds for action
35 under said section 19a-17 are presented to said board shall be
36 furnished with a copy of the complaint and shall have a hearing before
37 said board. The hearing shall be conducted in accordance with the
38 regulations established by the Commissioner of Public Health. Said
39 board may, at any time within two years of such action, by a majority
40 vote, rescind such action. The Commissioner of Public Health may
41 order a license holder to submit to a reasonable physical or mental
42 examination if his physical or mental capacity to practice safely is the
43 subject of an investigation. Said commissioner may petition the
44 superior court for the judicial district of Hartford to enforce such order
45 or any action taken pursuant to section 19a-17.

46 Sec. 503. Section 20-29 of the general statutes, as amended by section
47 2 of public act 08-109, is repealed and the following is substituted in
48 lieu thereof (*Effective January 1, 2010*):

49 The Board of Chiropractic Examiners may take any of the actions set
50 forth in section 19a-17 for any of the following reasons: The
51 employment of fraud or deception in obtaining a license, habitual
52 intemperance in the use of ardent spirits, narcotics or stimulants to
53 such an extent as to incapacitate the user for the performance of
54 professional duties, violation of any provisions of this chapter or
55 regulations adopted [hereunder] pursuant to this chapter, engaging in
56 fraud or material deception in the course of professional services or
57 activities, failure to provide a written discharge summary upon the
58 performance of a procedure, manipulation or treatment pursuant to
59 section 1 of this act, physical or mental illness, emotional disorder or
60 loss of motor skill, including, but not limited to, deterioration through
61 the aging process, illegal, incompetent or negligent conduct in the
62 practice of chiropractic, failure to maintain professional liability
63 insurance or other indemnity against liability for professional
64 malpractice as provided in subsection (a) of section 20-28b, or failure to
65 provide information to the Department of Public Health required to
66 complete a health care provider profile, as set forth in section 20-13j.
67 Any practitioner against whom any of the foregoing grounds for action
68 under said section 19a-17 are presented to said board shall be
69 furnished with a copy of the complaint and shall have a hearing before
70 said board. The hearing shall be conducted in accordance with the
71 regulations established by the Commissioner of Public Health. Said
72 board may, at any time within two years of such action, by a majority
73 vote, rescind such action. The Commissioner of Public Health may
74 order a license holder to submit to a reasonable physical or mental
75 examination if his physical or mental capacity to practice safely is the
76 subject of an investigation. Said commissioner may petition the
77 superior court for the judicial district of Hartford to enforce such order
78 or any action taken pursuant to section 19a-17.

79 Sec. 504. Section 20-40 of the general statutes is repealed and the
80 following is substituted in lieu thereof (*Effective October 1, 2009*):

81 Said department may refuse to grant a license to practice
82 natureopathy or may take any of the actions set forth in section 19a-17

83 for any of the following reasons: The employment of fraud or material
84 deception in obtaining a license, habitual intemperance in the use of
85 ardent spirits, narcotics or stimulants to such an extent as to
86 incapacitate the user for the performance of professional duties,
87 violations of the provisions of this chapter or regulations adopted
88 [hereunder] pursuant to this chapter, engaging in fraud or material
89 deception in the course of professional services or activities, failure to
90 provide a written discharge summary upon the performance of a
91 procedure, manipulation or treatment pursuant to section 1 of this act,
92 physical or mental illness, emotional disorder or loss of motor skill,
93 including but not limited to, deterioration through the aging process,
94 illegal, incompetent or negligent conduct in his practice, or failure to
95 maintain professional liability insurance or other indemnity against
96 liability for professional malpractice as provided in subsection (a) of
97 section 20-39a. Any applicant for a license to practice natureopathy or
98 any practitioner against whom any of the foregoing grounds for
99 refusing a license or action under said section 19a-17 are presented to
100 said board shall be furnished with a copy of the complaint and shall
101 have a hearing before said board in accordance with the regulations
102 adopted by the Commissioner of Public Health. The Commissioner of
103 Public Health may order a license holder to submit to a reasonable
104 physical or mental examination if his physical or mental capacity to
105 practice safely is the subject of an investigation. Said commissioner
106 may petition the superior court for the judicial district of Hartford to
107 enforce such order or any action taken pursuant to section 19a-17.

108 Sec. 505. Section 20-40 of the general statutes, as amended by section
109 3 of public act 08-109, is repealed and the following is substituted in
110 lieu thereof (*Effective January 1, 2010*):

111 Said department may refuse to grant a license to practice
112 natureopathy or may take any of the actions set forth in section 19a-17
113 for any of the following reasons: The employment of fraud or material
114 deception in obtaining a license, habitual intemperance in the use of
115 ardent spirits, narcotics or stimulants to such an extent as to
116 incapacitate the user for the performance of professional duties,

117 violations of the provisions of this chapter or regulations adopted
118 [hereunder] pursuant to this chapter, engaging in fraud or material
119 deception in the course of professional services or activities, failure to
120 provide a written discharge summary upon the performance of a
121 procedure, manipulation or treatment pursuant to section 1 of this act,
122 physical or mental illness, emotional disorder or loss of motor skill,
123 including, but not limited to, deterioration through the aging process,
124 illegal, incompetent or negligent conduct in his practice, failure to
125 maintain professional liability insurance or other indemnity against
126 liability for professional malpractice as provided in subsection (a) of
127 section 20-39a, or failure to provide information to the Department of
128 Public Health required to complete a health care provider profile, as
129 set forth in section 20-13j. Any applicant for a license to practice
130 natureopathy or any practitioner against whom any of the foregoing
131 grounds for refusing a license or action under said section 19a-17 are
132 presented to said board shall be furnished with a copy of the
133 complaint and shall have a hearing before said board in accordance
134 with the regulations adopted by the Commissioner of Public Health.
135 The Commissioner of Public Health may order a license holder to
136 submit to a reasonable physical or mental examination if his physical
137 or mental capacity to practice safely is the subject of an investigation.
138 Said commissioner may petition the superior court for the judicial
139 district of Hartford to enforce such order or any action taken pursuant
140 to section 19a-17."